

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

ALEJANDRO LOPEZ, SR.,

Plaintiff,

v.

CIVIL ACTION NO. 1:12-cv-01325-LO-JFA

TRANS UNION, LLC, EXPERIAN
INFORMATION SOLUTIONS, INC., et al.

Defendants.

**TRANS UNION LLC'S BRIEF IN RESPONSE TO PLAINTIFF'S
MOTION TO CONSOLIDATE**

Trans Union LLC ("Trans Union"), one of the Defendants herein, files this Brief in Response to Plaintiff's Motion to Consolidate.

Alejandro Lopez, Sr. filed his Complaint against Trans Union under the Fair Credit Reporting Act ("the FCRA"). Mr. Lopez, Sr. alleges that Trans Union violated the FCRA. (Compl. ¶¶ 36-70, Dkt. No. 1.) The case was assigned to Judge Liam O'Grady. On January 31, 2013, the Court entered a Scheduling Order setting an Initial Pretrial Conference for March 6, 2013. (Dkt. No. 43.)

Separately, Alejandro Lopez, Jr. filed a Complaint in this Court styled Alejandro Abraham Lopez, Jr. v. Trans Union, et al., Civil Action No. 1:12-cv-902-LO-JFA. Mr. Lopez, Jr., alleges that Trans Union violated the FCRA. (Compl. ¶¶ 44-78, Dkt. No. 1, Civil Action No. 1:12-cv-902-LO-JFA.) This case was also assigned to Judge O'Grady.

The Lopez, Jr. case and the Lopez, Sr. case are related because Plaintiffs allege that Trans Union mixed the files of Lopez, Jr. and Lopez, Sr., who are father and son. (Pl.'s Mem. in Support of Mot. to Consolidate at 2, Dkt. No. 54.)

Federal Rule of Civil Procedure 42(a) provides that a court may consolidate actions if they involve a common question of law or fact. Lopez, Jr. and Lopez, Sr. filed a “Consent Motion to Consolidate” on February 27, 2013. (Dkt. No. 53.)

Trans Union consents to consolidation and asks that these cases be consolidated for all purposes, including discovery and trial. Therefore, Trans Union asks that this court grant the Motion to Consolidate.¹

Respectfully submitted,

/s/

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¹ Separately, Lopez, Jr. and Lopez, Sr. filed a “Motion to File Amended Class Complaint” in both cases. (Dkt. No. 51.) Although styled a “Consent Motion,” Trans Union objects to the Motion to File Amended Class Complaint and will be separately filing a brief in opposition to that Motion.

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of February, 2013, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record registered to use the CM/ECF system in this action, as follows:

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I further certify that I will cause a copy of the foregoing to be sent by electronic mail to the following non-filing user: None.

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